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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/552,786	07/25/2006	David Deperthes	KZY-003US	4550		
959	7590	08/28/2008	EXAMINER			
LAHIVE & COCKFIELD, LLP FLOOR 30, SUITE 3000 ONE POST OFFICE SQUARE BOSTON, MA 02109				LEE, JAE W		
ART UNIT		PAPER NUMBER				
1656						
MAIL DATE		DELIVERY MODE				
08/28/2008		PAPER				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/552,786			

EXAMINER

JAE W. LEE

ART UNIT

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Commissioner for Patents

Application status

Upon further consideration and review of the latest amendment to claims, filed on 05/12/2008, it is noted by the Examiner that Applicants have inserted SEQ ID NOs: 23-38, 40-63 and 65 in the newly added claims 51, 53, 55, 57 and 59. Although SEQ ID NOs: 39 and 64 are not present in the claims, by virtue of properly numbering SEQ ID NOs, they are assumed to be added to the disclosure provided by Applicants. Claims 1-5, 7, 8, 11-16, 18-27, 35, 37, 44 and 45 are canceled, Claims 9, 10, 17, 28, 39-43 and 46 are amended, and Claims 46-62 are added in the amendment filed on 05/12/2008. Claims 6, 9, 10, 17, 28-34, 36, 38-43 and 46-62 are pending.

Sequence Compliance

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825; Applicants' attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). To be in compliance, Applicants should identify nucleotide sequences of at least 10 nucleotides and amino acid sequences of at least 4 amino acids in the specification by a proper sequence identifier, i.e., "SEQ ID NO:" (see MPEP 2422.01). If these sequences have not been listed in the computer readable form and paper copy of the sequence listing, applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification, and a statement that the content of the paper and CRF copies are the same and, where applicable, include no new matter as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.821(b) or 1.825(d). See particularly SEQ ID NOs: 23-38, 40-63 and 65 in the newly added claims 51, 53, 55, 57 and 59, in addition to SEQ ID NOs: 39 and 64 which are assumed to be added. There is no sequence listing beyond SEQ ID NO: 22 in the instant application. The Examiner requires that Applicants provide where the support for each and every SEQ ID NOs: 23-65 can be found in the specification, and warns Applicants of any potential incorporation of new matter.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jae W. Lee whose telephone number is 571-272-9949. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathleen Kerr can be reached on 571-272-0931. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Delia M. Ramirez/
Primary Examiner, Art Unit 1652